

E-File: August 26, 2009

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
 THE RHODES COMPANIES, LLC, aka
 "Rhodes Homes," et al.,¹
 Debtors.

Case No.: BK-S-09-14814-LBR
 (Jointly Administered)

Chapter 11

Affects:

DATE: August 28, 2009
 TIME: 1:30 p.m.
 PLACE: Courtroom 1

☒ All Debtors
☐ Affects the following Debtor(s)

¹ The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No.

STATUS AND AGENDA FOR AUGUST 28, 2009 HEARING

AT 1:30 P.M.

1. Debtors' Emergency Motion For An Order Extending Cash Collateral

Termination Date [Relates to Docket No. 126] [Rhodes Docket No. 236]

Related Filings:

- A. *Ex Parte Motion for Order Shortening Time* Filed by ZACHARIAH LARSON on behalf of THE RHODES COMPANIES, LLC [Rhodes Docket No. 237]
- B. *Attorney Information Sheet* [Rhodes Docket No. 238]
- C. *Order Shortening Time to Hear Debtors' Emergency Motion for an Order Extending the Cash Collateral Termination Date* [Rhodes Docket No. 248]
- D. *Notice of Hearing* for Docket No. 248 [Rhodes Docket No. 251]
- E. *Certificate of Service* (Related document(s) 236 Motion to Extend Time filed by Debtor THE RHODES COMPANIES, LLC, 237 Motion for Order Shortening Time filed by Debtor THE RHODES COMPANIES, LLC, 238 Attorney Information Sheet filed by Debtor THE RHODES COMPANIES, LLC) [Rhodes Docket No. 253]
- F. *Notice of Hearing* for Docket No. 236 [Rhodes Docket No. 255]
- G. *Certificate of Service* for Docket No. 248 and 251 [Rhodes Docket No. 268]
- H. *Notice of Extension of Cash Collateral Termination Date Re Final Stipulated Order (I) Authorizing Use of Cash Collateral Pursuant to Sections 105, 361, 362 and 363 of the Bankruptcy Code and (II) Granting Adequate Protection and Super Priority Administrative Expense Priority to Prepetition Secured Lenders Re Debtors' Motion and Request for Continuance of Emergency Motion to Extend Time to Extend Cash Collateral Termination Date* [Rhodes Docket No. 274]
- I. *Notice of Filing of Amended Budget* [Rhodes Docket No. 284]
- J. *Statement Of The First Lien Steering Committee With Respect To Debtors' Emergency Motion For An Order Extending Cash Collateral Termination Date* [Rhodes Docket No. 285]
- K. *Opposition of First Lien Steering Committee To Debtors' Emergency Motion For An Order Extending Cash Collateral Termination Date* [Rhodes Docket No. 313]

09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

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- L. *Objection to and Joinder in First Lien Steering Committee's Objection to Debtors' Emergency Motion for an Order Extending Cash Collateral Termination Date* [Rhodes Docket No. 314]
- M. *Certificate of Service for 313* [Rhodes Docket No. 315]
- N. *Reply to Objection of the First Lien Steering Committee to Debtors' Emergency Motion for an Order Extending Cash Collateral Termination Date [Re: Docket Number 236]* [Rhodes Docket No. 321]
- O. *Notice of Filing of Amended Budget re Emergency Motion to Extend Cash Collateral Termination Date* [Rhodes Docket No. 322]
- P. *Committee's Statement Regarding Debtors' Pending Motions to Extend Exclusivity and Allow Continued Use of Cash Collateral* [Rhodes Docket No. 324]
- Q. *Stipulation By The Rhodes Companies, LLC and Between First Lien Steering Committee, Administrative Agent for the First Lien Lenders, Administrative Agent for the Second Lien Lenders, Official Committee of Unsecured Creditors, and Certain Non-debtor Affiliates of the Debtors* [Rhodes Docket No. 332]
- R. *Order Granting Plan Exclusivity and Cash Collateral Stipulation* [Rhodes Docket No. 336]
- S. *Notice of Entry of Order for Docket No. 336* [Rhodes Docket No. 342]
- T. *Certificate of Service for Docket No. 342* [Rhodes Docket No. 432]
- U. *Notice of Filing of Amended Exhibit A to Plan Exclusivity and Cash Collateral Stipulation [Relates to Docket No. 332]* [Rhodes Docket No. 359]
- V. *Certificate of Service for Docket No. 359* [Rhodes Docket No. 428]

STATUS: The lenders have consented to continued use of cash collateral through October 2, 2009 (in accordance with the current budget on file with the Court and other existing terms for the Debtors' use of cash collateral) and the parties are working on the form of a stipulation to present to the Court.

2. *Debtor's Objection to Par 3 Landscape & Maintenance, Inc.'s Claim Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007 (Non-Debtor Claim)* [Rhodes Docket No. 351]

Related Filings:

- A. *Notice of Hearing on Docket No. 351* [Rhodes Docket No. 352]

1 B. *Certificate of Service* for Docket Nos. 351 and 352 [Rhodes Docket No. 369]

2 C. *Supplemental Certificate of Service* for Docket Nos. 351 and 352 [Rhodes Docket
3 No. 370]

4 **STATUS:** This matter will be going forward. No response has been received. A
5 proposed form of Order was submitted with the Objection.

6 3. *Debtor's Objection to Mark Jerue's Claim Pursuant to Section 502(b) of the*
7 *Bankruptcy Code, Bankruptcy Rules 3003 and 3007 (Non-Debtor Claim)* [Rhodes Docket No.
8 355]

9 **Related Filings:**

10 A. *Notice of Hearing* on Docket No. 355 [Rhodes Docket No. 356]

11 B. *Certificate of Service* for Docket Nos. 355 and 356 [Rhodes Docket No. 368]

12 **STATUS:** This matter will be going forward. No response has been received. A
13 proposed form of Order was submitted with the Objection.

14 4. *Debtor's Omnibus Objection to Internal Revenue Service Claims Pursuant to*
15 *Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007* [Rhodes Docket No.
16 357]

17 **Related Filings:**

18 A. *Notice of Hearing* on Docket No. 357 [Rhodes Docket No. 358]

19 B. *Certificate of Service* for Docket Nos. 357 and 358 [Rhodes Docket No. 364]

20 C. *Supplemental Certificate of Service* for Docket Nos. 357 and 358 [Rhodes Docket
21 No. 365]

22 **STATUS:** The IRS has requested a continuance of this matter, to which the Debtors
23 have agreed. Accordingly, the Debtors propose that this matter be continued to October 2, 2009.

24 5. *Motion For Relief From Stay Refiled Pursuant to Order of the Court and*
25 *Updated* [Rhodes Docket No. 302]

26 **Related Filings:**

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- A. *Motion for Relief from Stay* [Bravo Docket No. 15]
- B. *Notice of Hearing* for Bravo Docket No. 15 [Bravo Docket No. 16]
- C. *Order Granting Stipulation for Continuance [RE DOCKET 302]* [Rhodes Docket No. 317]
- D. *Notice of Entry of Order* re Docket No. 317 (Rhodes Docket No. 319)
- E. *Certificate of Service* re Docket No. 319 [Rhodes Docket No. 326]
- F. *Debtor's Opposition to Motion for Relief From Stay Filed by Harsch Investment Properties—Nevada LLC [Relates to Docket No. 302]* [Rhodes Docket No. 347]
- G. *Declaration of Thomas Robinson in Support of "Debtor's Opposition to Motion for Relief From Stay Filed by Harsch Investment Properties—Nevada LLC [Relates to Docket No. 302]"* [Rhodes Docket No. 348]
- H. *Certificate of Service* for Docket Entries 347 and 348 [Rhodes Docket No. 350]
- I. *Harsch Investment Properties, Nevada LLC's Reply to Debtor's Opposition to The Motion to Lift Automatic Stay and In Support of Motion as Refiled (Document 302)* [Rhodes Docket No. 371 and Bravo Docket No. 23]
- J. *Stipulation For Continuance* [Rhodes Docket No. 372]
- K. *Order Granting Stipulation for Continuance [Docket No. 302]* [Rhodes Docket No. 379]
- L. *Notice of Entry of Order* for Docket Entry 379 [Rhodes Docket No. 382]
- M. *Certificate of Service* for Docket Entries 372, 381 and 382 [Rhodes Docket No. 426]

STATUS: The parties are attempting to work out a stipulation to resolve this matter. If they are unable to do so, the matter will go forward.

6. *Joint Motion to Approve Stipulation Among Debtors and Wells Fargo Bank, National Association, as Agent, Authorizing Agent to File Consolidated Proofs of Claim on Behalf of Itself and the Second Lien Lenders Nunc Pro Tunc to Execution Date of Stipulation* [Rhodes Docket No. 373]

Related Filings:

- A. *Notice of Hearing* on Docket No. 373 [Rhodes Docket No. 374]
- B. *Certificate of Service* for Docket Entries 373 and 374 [Rhodes Docket No. 428]

STATUS: This matter will be going forward. No response has been received. A proposed form of Order was submitted with the Motion.

7. *Joint Motion to Approve Stipulation Between Debtors and Credit Suisse, Cayman Islands Branch, As Agent, Regarding Proofs of Claim [Rhodes Docket No. 384]*

Related Filings:

A. *Notice of Hearing* on Docket No. 384 [Rhodes Docket No. 385]

B.. *Certificate of Service* for Docket Entries 384 and 385 [Rhodes Docket No. 428]

STATUS: This matter will be going forward. No response has been received. A proposed form of Order was submitted with the Motion.

8. *Debtors' Motion For An Order Establishing Procedures to Sell Non-Core Assets; Declaration of Paul D. Huygens in Support Thereof [Rhodes Docket No. 386]*

Related Filings:

A. *Notice of Hearing* on Docket No. 386 [Rhodes Docket No. 387]

B. *Certificate of Service* for Docket Entries 386 and 387 [Rhodes Docket No. 428]

STATUS: This matter will be going forward. No response has been received. A proposed form of Order was submitted with the Motion.

Dated: August 26, 2009

LARSON & STEPHENS

/s/Zachariah Larson

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—and —

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Co-Counsel for Debtors and Debtors in Possession